



HOWARD COUNTY PUBLIC WORKS BOARD

3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2330 ■ Fax 410-313-3408

James M. Irvin, Executive Secretary
Jacqueline Somervell, Recording Secretary

Darryl A. Stokes, Chairperson
Mitchell Smith, Jr., Vice Chairperson
Christine M. Carroll, Member
Michael A. Higgins, Member
Lisa S. Spitulnik, Member

Minutes of the Howard County Public Works Board – February 23, 2009

Members present: Darryl Stokes; Mitchell Smith, Jr.; Christine Carroll and Lisa S. Spitulnik.

Staff present: James M. Irvin, Executive Secretary; John Seefried, Acting Chief, Construction Inspection Division; Ron Lepson, Chief, Bureau of Engineering, Don Lieu, Chief, Utility Design Division; Tina D. Hackett, Chief, Real Estate Services Division and Jacqueline Somervell, Real Estate Services Division, Department of Public Works.

Mr. Stokes called the meeting to order at approximately 7:30 p.m.

I. **Approval of minutes:** Mr. Stokes indicated that the first item on the agenda is the approval of the minutes of December 10, 2008 and January 13, 2009. Mr. Stokes asked if there were any comments or questions from the January 13, 2009 minutes.

Motion: On a motion made by Mr. Smith and seconded by Ms. Spitulnik, the Board unanimously approved the minutes of December 10, 2008 and January 13, 2009.

II. **Old Business**

Capital Project No. W-8310 - FY 2010 - Marlo Austin Way Water Main Extension

Staff Presentation: Don Lieu, Chief, Utility Design Division stated the purpose of this presentation is to seek a recommendation from the Public Works Board concerning a new water and sewer capital project for the upcoming 2010 fiscal year. The Capital Project is W-8310, the Marlo Austin Way Water Main Extension. The project consists of the design and construction of 700 linear feet of 8-inch water main from Marlo Austin Way to serve 7 properties off of Kerger Road. The estimated project cost is \$230,000 to be funded in fiscal year 2010. The project was requested by Mr. Larry Wagoner, the owner of the properties located at 5287 Kerger Road, Ellicott City, Maryland, Tax Map 31, Parcels 660 and 661. The parcels are 1.20 acres and 1.37 acres in size and are zoned R-20. Parcel 661 is improved. The parcels are within the Metropolitan District and are eligible for public water service. The project was brought before the Public Works Board on January 13, 2008. During the January hearing, the residents asked that the water main be extended to serve the remaining properties in the community. The scope of the project was extended and the funding advanced in the capital program to fiscal year 2010. As a condition of the project, the property owners served by the project will be required to provide all easements necessary for the extension of the water main at no cost to the County. Interested property owners were notified of tonight's meeting by advertisement in local newspapers and by posting in the project area.

The user costs associated with the water and sewer extensions are as follows:

Water house connection charge	\$2,400.00	
Water Meter Setting	\$ 280.00	
Water In-Aid-of-Construction charge	\$ 600.00	per in aid unit
Water Account Charge	\$ 8.94	per quarter
Water use charge	\$ 1.19	per 748 gallons (Winter Rates)
	\$ 1.31	per 748 gallons (Summer Rates)

All user costs noted in the presentation are subject to change each July 1.

Board Comments: Mr. Stokes questioned the concerns of the residents at the last meeting and whether there had been any follow-up with the community.

Mr. Ron Lepson, Chief, Bureau of Engineering stated that most of the residents at the last meeting did not oppose the extension. They had issues related to storm drainage; paving the private road; and the traffic cutting through their road to get to Ilchester Road. Subsequent to that meeting I made several phone calls to a number of the residents. I advised them I would meet with the residents to determine a way to address their concerns. A few of the residents are here tonight. Once the Board makes a decision on the capital project, we will go next door to establish where we are going to meet, date and time and some of the parameters.

A question was raised from the audience as to where the results of those meetings will be provided to the Board? Mr. Lepson said that he would like to exchange e-mail addresses with the residents so he can correspond with them. He said he will copy Ms. Hackett on all correspondence and she can relay the information to the Board.

Mr. Lieu asked the Board if there were any questions on the water side. There were none.

Public Testimony: Mr. Bob Wertz, 5293 Kerger Road, asked what determines the extension. Mr. Lieu stated he tried to use as much of the existing easement as possible by paralleling the sewer it will need an additional 10 foot easement. Mr. Wertz asked what determines the stopping point. Mr. Lieu stated that the Howard County Code reads that before you can connect to public utilities; your property must abut a public road or easement. The location of the proposed line will provide legal access to the water line for both parcels.

Mr. Anthony Randazzo, 5289 Kerger Road stated he was fine with the water main as it is constructed on the right side of the property. He is concerned that if we use the left side of the property, the location of the line might render that lot useless and he wants to be able to build on the lot in the future.

Mr. Patrick Kirby, 5301 Kerger Road asked if the stand of trees along his property is going to be removed. Mr. Lieu stated he doesn't know where the stand of trees is in relation to the Kirby property. There is an easement here so the property line goes across really confusing in that area of ugly trees.

Motion: On a motion made by Ms. Carroll and seconded by Mr. Smith, the Board unanimously recommended that the Director of Public Works accept W-8310 - FY 2010 - Marlo Austin Way Water Main Extension

III. **New Business**

1. **Road Acceptance Hearing**

- (a) Subdivision: Cherrytree Park, Lots 1 thru 10, Open Space Lots 11 thru 13 and Bulk Parcels 'A' thru 'H', Phases I and II
Road Agreement No. F-01-114 24-4000-D
Road Names: Ice Crystal Drive and Birchtree Lane
Petitioner: Cherrytree I LLC

Staff Presentation: Ms. Tina Hackett, Chief, Real Estate Services Division, indicated that Cherrytree I LLC has presented a petition to the Director of Public Works for the acceptance in fee simple title to Ice Crystal Drive and Birchtree Lane located in Cherrytree Park, Lots 1 thru 10, Open Space Lots 11 thru 13 and Bulk Parcels 'A' thru 'H', Phases I and II. The Bureau of Engineering has inspected the subdivision and certifies that all public improvements have been constructed in accordance with the approved plans and specifications and meets the criteria for acceptance under Section 18.202 of the Howard County Code. In this instance there are two items that remain incomplete. There is ponding along Birchtree Lane at Chelsea Way. There is a ball valve at 1102 Chelsea Way that needs to be adjusted and replace 2 feet by 4 feet concrete pad around the valve; replace sidewalk on Ice Crystal Drive; install a handicap ramp at Chelsea Way at Ice Crystal Drive; replace two sections of curb in the circle facing Birch Tree Lane; adjust a manhole in the sidewalk and covert stand pipe on pond 1. The Construction Inspection Division estimates the work will cost \$6,000. The developer has entered into a sidewalk agreement and posted a check for \$6,000. The developer will have six months to complete the improvements. The Bureau of Engineering recommends that the public improvements be accepted into the County's system of publicly owned and maintained facilities.

Board Comments: Mr. Stokes asked if there were any questions from the Board. Mr. Smith asked how long they have to complete the construction. Ms. Hackett stated six months. Ms. Carroll stated so if the work is not done, the sidewalk agreement be used to complete the improvements. Ms. Hackett stated yes. Mr. Stokes asked if there were any comments from the audience.

Public Testimony: None.

Motion: On a motion made by Ms. Carroll and seconded by Mr. Smith, the Board unanimously recommended that the Director of Public Works accept the public improvements located in Cherrytree Park, Lots 1 thru 10, Open Space Lots 11 thru 13 and Bulk Parcels 'A' thru 'H', Phases I and II into the County's system of publicly owned and maintained facilities.

- (b) Subdivision: Cherrytree Park - Phase III, A Revision Plat for Open Space Lot 11 - Phase I and II, A Revision Plat for Open Space Lots 12 and 13 - Phase I and II, and Bulk Parcel 'G-1', Open Space Lot 14 and Ice Crystal Drive
Road Agreement No. F-04-112 24-4177-D
Road Names: Ice Crystal Drive
Petitioner: U.S. Home Corporation

Staff Presentation: Ms. Hackett indicated that U.S. Home Corporation has presented a petition to the Director of Public Works for the acceptance in fee simple title to Ice Crystal Drive located in Cherrytree Park - Phase III, A Revision Plat for Open Space Lot 11 - Phase I and II, A Revision Plat for Open Space Lots 12 and 13 - Phase I and II, and Bulk Parcel 'G-1', Open Space Lot 14 and Ice Crystal Drive. The Bureau of Engineering has inspected the subdivision and certifies that all public improvements have been constructed in accordance with the approved plans and specifications and meets the criteria for acceptance under Section 18.202 of the Howard County Code. The Bureau of Engineering recommends that the public improvements be accepted into the County's system of publicly owned and maintained facilities.

Board Comments: Mr. Stokes asked if there were any pending issues. Ms. Hackett said everything is complete. Mr. Stokes asked if this is a different party that we are dealing with in this case - US Home Corporation. Ms. Hackett said this is a different developer. Mr. Stokes asked if there were any comments from the Board and the audience. There were none.

Public Testimony: None.

Motion: On a motion made by Mr. Smith and seconded by Ms. Spitulnik, the Board unanimously recommended that the Director of Public Works accept the public improvements located in Cherrytree Park - Phase III, A Revision Plat for Open Space Lot 11 - Phase I and II, A Revision Plat for Open Space Lots 12 and 13 - Phase I and II, and Bulk Parcel 'G-1', Open Space Lot 14 and Ice Crystal Drive.

- c) Subdivision: Macbeth Farm, Lots 1 thru 35, Buildable Preservation Parcel 'A', Non-Buildable Preservation Parcels 'B', 'C', 'D', 'E', and 'F'
Road Agreement No. F-06-101 N/A
Road Names: Macbeth Farm Lane and Kerne Court
Petitioner: Clarksville Overlook, LLC

Staff Presentation: Ms. Hackett indicated that Clarksville Overlook, LLC has presented a petition to the Director of Public Works for the acceptance in fee simple title to Macbeth Farm Lane and Kerne Court located in Macbeth Farm, Lots 1 thru 35, Buildable Preservation Parcel 'A', Non-Buildable Preservation Parcels 'B', 'C', 'D', 'E', and 'F'. The Bureau of Engineering has inspected the subdivision and certifies that all public improvements have been constructed in accordance with the approved plans and specifications and meets the criteria for acceptance under Section 18.202 of the Howard County Code. There are a few items that remain incomplete. The developer needs to seed and mulch all the right of way areas during the growing season; an 18-foot corrugated metal pipe has to be replaced; and three standard metal and sections need to be replaced. The Construction Inspection Division recommends that the developer post \$3,219 to cover those improvements. The developer has entered into a

sidewalk agreement and posted a check for \$3,219. The developer will have six months to complete those improvements. The Bureau of Engineering recommends that the public improvements be accepted into the County's system of publicly owned and maintained facilities.

Board Comments: Mr. Stokes asked if there were any comments from the Board. There were none. Mr. Stokes asked if there were any comments from the audience.

Public Testimony: None.

Motion: On a motion made by Ms. Spitulnik and seconded by Mr. Smith, the Board unanimously recommended that the Director of Public Works accept the public improvements located in Macbeth Farm, Lots 1 thru 35, Buildable Preservation Parcel 'A', Non-Buildable Preservation Parcels 'B', 'C', 'D', 'E', and 'F'.

- (d) Subdivision: McKendree View, Lots 1-8; Buildable Preservation Parcel A;
Non-Buildable Preservation Parcels B & C; Non-Buildable Bulk Parcel D
Road Agreement No. F-07-087 N/A
Road Names: Meadow Trail Lane and McKendree Road widening
Petitioner: McKendree View LLC

Staff Presentation: Ms. Hackett indicated that McKendree View LLC has presented a petition to the Director of Public Works for the acceptance in fee simple title to Meadow Trail Lane and McKendree Road widening located in McKendree View, Lots 1-8; Buildable Preservation Parcel A; Non-Buildable Preservation Parcels B & C; Non-Buildable Bulk Parcel D. The Bureau of Engineering has inspected the subdivision and certifies that all public improvements have been constructed in accordance with the approved plans and specifications and meets the criteria for acceptance under Section 18.202 of the Howard County Code. There are two items that remain incomplete. There is seeding and mulching along the right-of-way and parging lift holes in structure lids and grinding and parging an exposed steel reinforcement bar in the end walls. The Construction Inspection Division recommends that the developer enter into a sidewalk agreement and post \$2,500 to cover those improvements. We received notice requesting a sidewalk agreement late in the afternoon and were unable to prepare the agreement in time for execution by the developer; however, the developer has posted the check for \$2500. The sidewalk agreement will be prepared and forwarded to the developer for execution. The developer will have six months to complete the improvements.

Mr. Smith asked how the six months period is established. Mr. John Seefried, Acting Chief, Construction Inspection Division, stated that the six month period is general for seasonal issues in regards to a reasonable time frame for grass and seed to germinate. The developer made a good faith effort to seed and mulch, but in the event that the present stabilization of the vegetated (grass) swales needs to be reseeded, it will be done prior to the heat of the summer. The other two issues here don't relate to a particular season. Six months is a convenient time frame for the exposed rebar in the face of the culvert end walls and in the storm drain inlet tops. In both cases the steel reinforcement can be seen rusting through the concrete. The rust will be removed and the areas parged. Mr. Stokes asked if the exposed rebar is a public safety issue. Mr. Seefried said that it is not protruding. If you look at the face of the concrete you can see

the rust in it and it is a maintenance concern because of the exposure to the elements that the rust will continue to grow into the concrete and top it off. This is to clean it up remove the rust and cover it up to prevent water from reaching the steel. The Bureau of Engineering recommends that the public improvements be accepted into the County's system of publicly owned and maintained facilities.

Board Comments: Mr. Stokes asked if there were any questions from the Board and the audience. There were none.

Public Testimony: None.

Motion: On a motion made by Ms. Spitulnik and seconded by Ms. Carroll, the Board unanimously recommended that the Director of Public Works accept the public improvements located in McKendree View, Lots 1-8; Buildable Preservation Parcel A; Non-Buildable Preservation Parcels B & C; Non-Buildable Bulk Parcel D.

- (e) Subdivision: Patuxent Square Apartments and Retail Center, North Laurel Park, Parcels A and Non-Buildable Parcel B, Hill Street Property
Road Agreement No. F-06-213 N/A
Road Names: Hill Street
Petitioner: Orchard Development Corporation

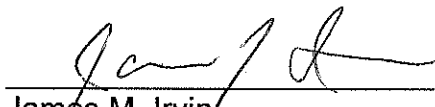
Staff Presentation: Ms. Hackett indicated that Orchard Development Corporation has presented a petition to the Director of Public Works for the acceptance in fee simple title to Hill Street located in Patuxent Square Apartments and Retail Center, North Laurel Park, Parcels A and Non-Buildable Parcel B, Hill Street Property. The Bureau of Engineering has inspected the subdivision and certifies that all public improvements have been constructed in accordance with the approved plans and specifications and meets the criteria for acceptance under Section 18.202 of the Howard County Code. The Bureau of Engineering recommends that the public improvements be accepted into the County's system of publicly owned and maintained facilities.

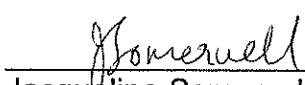
Board Comments: Mr. Stokes asked if there were any pending issues. Ms. Hackett responded none. Mr. Stokes asked if there were any questions from the Board. There were none. Mr. Stokes asked if there were any questions from the audience.

Public Testimony: None.

Motion: On a motion made by Mr. Smith and seconded by Ms. Spitulnik, the Board unanimously recommended that the Director of Public Works accept the public improvements located in Patuxent Square Apartments and Retail Center, North Laurel Park, Parcels A and Non-Buildable Parcel B, Hill Street Property.

There being no further business, the Public Works Board meeting adjourned at approximately 8:05 p.m.


James M. Irvin
Executive Secretary


Jacqueline Somervell
Recording Secretary